

### **REMARKS**

Claims 1-5 are pending and under consideration.

With this Amendment, claims 1 and 5 are amended. No new matter has been introduced by way of the amendments.

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#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Oesten et al. (US 2001/0046628) in view of Spitler et al. (US 2004/0197657). Applicant respectfully traverses the Examiner's rejections.

Claims 1 and 5, as amended, require each particle of the anode active material to have a layered structure. Specifically, the coating layer is made of a homogeneous Lithium-Titanium compound such as  $\text{Li}_4\text{Ti}_5\text{O}_{12}$  and protects the active material from unfavorable reactions. The coating layer significantly improves conductivity and as a result maintains capacity and cycle durability. Specification pages 15-16.

Oesten et al. specifically teaches an active material that is a *mixture* of alkali metal compounds and oxides. Oesten et al., Paragraph [0024]; [0034]. The coating in Oesten et al. inhibits the reactions of acids with electrolyte materials. Oesten et al., Paragraphs, [0010]; [0033]; [0037]. Oesten et al. does not teach or even fairly suggest a coating layer that uses a homogenous compound as required by claims 1 and 5. Furthermore, Oesten et al., does not teach or even fairly suggest that the mixture of alkali metal compounds and oxides, or any coating, would improve conductivity and maintain capacity and cycle durability.

Spitler et al. teaches a coating method for use in the manufacture of thin film electrodes. Spitler et al., Paragraphs [0001]; [0020]; [0023]. The coating method for manufacturing a thin film electrode, however, cannot be applied to a coating on a particle of an active material. Furthermore, Spitler et al. specifically teaches that the compound of the formula  $\text{Li}_4\text{Ti}_5\text{O}_{12}$  is the entire material used to make the electrode. Spitler et al. Paragraphs [0001]; [0023]. Spitler et al. does not teach or even fairly suggest the compound of the formula  $\text{Li}_4\text{Ti}_5\text{O}_{12}$  as a coating.

Thus, either taken singularly or in combination with each other, the cited references fail to teach or even fairly suggest particles of the anode active material having a layered structure with a coating made of a homogeneous Lithium-Titanium compound as required by claims 1 and 5. Thus, independent claims 1 and 5 are patentable over the cited references, as are dependent claims 2, 3 and 4 for at least the same reasons. Accordingly, Applicant respectfully requests the above rejections be withdrawn.

## **II. Conclusion**

For the foregoing reasons it is submitted that claims 1-5 are patentable and that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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